

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA(1) Demetrious Adonis Moore 16135171 :
(Name of Plaintiff) (Inmate Number) :USP Allenwood :
P.O. Box 3000 White Deer, PA 17887 :
(Address) :(2) _____ :
(Name of Plaintiff) (Inmate Number) :_____
(Address) :(Each named party must be numbered,
and all names must be printed or typed) :

vs. :

(1) United States of America :(2) David J Ebbert, warden :(3) P. Ramirez, Food Administrator :
(Names of Defendants) :(Each named party must be numbered,
and all names must be printed or typed) :4:18-cv-1141
(Case Number)

CIVIL COMPLAINT

FILED
HARRISBURG, PA
JUN 04 2018
PER CU
DEPUTY CLERK

TO BE FILED UNDER: _____ 42 U.S.C. § 1983 - STATE OFFICIALS

✓ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

N/A

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? Federal Tort Claim No. TRT-NER-2017
03665
 2. What was the result? Final offer of \$200 made by
- D. If your answer to "B" is No, explain why not: N/A

III. DEFENDANTS

- (1) Name of first defendant: United States of America
Employed as FBOP/warden at USP Lewisburg
Mailing address: P.O. Box 1000, 2400 Robert F. Miller Drive, Lewisburg, PA 17837
- (2) Name of second defendant: David J Ebbert
Employed as warden at USP Lewisburg
Mailing address: P.O. Box 1000, 2400 Robert F. Miller Drive, Lewisburg, PA 17837
- (3) Name of third defendant: P. Ramirez
Employed as Food Service Administrator at USP Lewisburg
Mailing address: P.O. Box 1000, 2400 Robert F. Miller Drive, Lewisburg, PA 17837

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. On or about 11-22-16, At USP Lewisburg located in Pennsylvania, I semetricals
Adonis Moore was and at all times mentioned here in a prisoner
of and in the custody of the Federal Bureau of Prisons

(FBOP), where in I was fed rancid and

2. Contaminated Foods. That were prepared and served to me by FBOP USP Lewisburg staff as part of my required meal. Because of this I contracted the Salmonella bacteria ... (continued on attachment #1)

3.

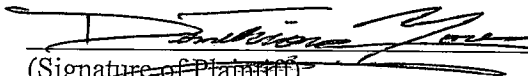
V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Jury trial on all issues triable by jury, order defendant to make accessible to plaintiff and/or plaintiff counsel any and all documents that may pertain to plaintiff's claims which do not violate the security of defendant
2. Any fees or court charges to the plaintiff be paid by the defendant(s)
Compensatory damage awarded to plaintiff in the amount of \$10,000.00 against the defendant(s)
3. Punitive damages in the amount of \$10,000.00 awarded to the plaintiff against the defendant(s)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 30th day of May, 2018.


(Signature of Plaintiff)

IX Statment of claim A. (continued)

Attachment #1

The symptoms began with constant diarrhea which I reported to the medical staff on or about 11-24-2016. With in the preceding 24-hours my symptoms dramatically increased to include extremely painful abdominal cramps, constant vomiting, diarrhea that was sometimes involuntary and simontaneous with the vomiting, cold sweats that kept me awake at night, high fever, sever headaches, Extreme dyhidration and the inability to hold down any foods or liquids

I again alerted the institutions medical staff and requested to have my blood and stool tested.

I was re-housed (moved) along with 100's of other inmates who also had contracted salmonella. To the basement level of X-block. Then told "due to falling ill of a "GI" infection" I was being placed in quarantine. Where because of the violent symptoms I was experiencing I had to sleep on the floor amongst bugs, spiders and mice. In order to be in as close proximity to the toilet as possible when I would wake up vomiting or defecating involentarily. There were instances where I never woke up in time and had to hand wash my own bodily waste out of my linen

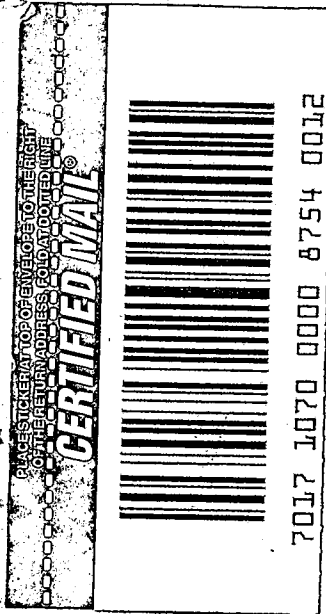
Because any liquid I drank ran through my bowels in less then two minutes or I otherwise vomited it back up. I was constantly dyhydrated. Unable to focus nor muster the strength or energy to exercise as I regularly do. Not even write a letter to my loved ones to let them know what ~~was~~ I was going through

Eventually medical staff took a sample of my stool and placed me on an I.V and informed me I had contracted salmonella. Upon learning this and coupled with the substandard and unsanitary conditions of my confinement. I became plagued with thoughts and nightmares that I ~~was~~ going to die in prison. Even after the aforesaid violent symptoms had passed. The thought that my well being is in negligent hands, at any given time I am vulnerable to fall victim to such a horrific illness has made me fearful of foods and meals ordered, or prepared by FBOP staff

At the time of this incident David J Ebbert was warden of USP Lewisburg and P. Ramirez was the institutions Food Service Administrator.

Joyce M. Horikawa, acting Regional Counsel reviewed my Tort claim. And offered settlements of First \$100, then \$200. ~~Nothing Follows~~

Demetrious Adonis Moore
16135171
Federal Correctional Complex - Allenwood
P.O. Box 3000
White Deer, PA 17887



RECEIVED
HARRISBURG, PA

JUN 04 2018

Per [Signature]
Deputy Clerk

MAY 30 2018

MAILED FROM
U.S. PENITENTIARY

LEGAL
MAIL